

JUL - 8 2010

CLERK, U.S. DISTRICT COURT
By DeputyIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RICHARD JOHN FLORANCE, JR.,)

Plaintiff,)

vs.)

No. 3:09-CV-1470-B-BH

DON BUSH, et al.,)

Defendants.)

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. Accordingly, *Collin County Defendants' Motion for Sanctions*, ("Mot.") filed March 15, 2010, (doc. 85) is **GRANTED in part and DENIED in part** and Plaintiff is **SANCTIONED** as set out herein pursuant to Fed. R. Civ. P. 11(c)(3) and the inherent powers of the Court.

Plaintiff shall pay monetary sanctions in the amount of \$5,300.00 to the Clerk of the Court for the United States District Court for the Northern District of Texas. Until he has paid this monetary sanction in full, Plaintiff is **PROHIBITED** from filing any action in this Court. Even after Plaintiff pays the monetary sanction, he is **PROHIBITED** from filing any action arising from the facts which led to this litigation. In addition to any prior sanctions imposed against him, Plaintiff is also **PROHIBITED** from filing any action in this Court unless he has obtained leave of court through a proper motion for leave.

For purposes of this order, "filing" includes actions received by this Court via transfer or

removal. Plaintiff, furthermore, may not obtain leave of Court without providing proof that he has paid the monetary sanctions imposed in this order. Leave will be summarily denied if any aspect of the proposed pleading seeks to pursue claims that have been or could have been raised in this action. If the Court receives a transferred or removed action involving Plaintiff, he shall seek the requisite leave of court within fourteen days of the date of the order of transfer or removal or the Court will summarily dismiss the action without further notice. If the Court receives a pleading directly from Plaintiff without the requisite motion for leave or receives a motion for leave that is unaccompanied by the requisite proof of payment, the Court hereby directs the Clerk of the Court to docket the filing for administrative purposes only and immediately close the case after placing a copy of this order in the case file. The Court will not otherwise address or acknowledge submissions that are unaccompanied by a motion for leave or that do not show proof that the monetary sanctions have been paid.

For the reasons stated in the recommendation of the Magistrate Judge, this action will be **SUMMARILY DISMISSED** with prejudice in its entirety as a sanction for violating Fed. R. Civ. P. 11, filing the action in bad faith, and willfully abusing the judicial process. By separate judgment, the Court formally dismisses this action.

SIGNED this 8th day of July, 2010.


JANE J. BOYLE
UNITED STATES DISTRICT JUDGE